**PATENT** 



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Yoshi NISHIBAYASHI, et al.

Serial No.: 09/942,101

Filed: August 30, 2001

For:

METHOD OF MANUFACTURING ELECTRON-EMITTING ELEMENT AND

Group Art Unit: 1765

Examiner: L. Vinh

**ELECTRONIC DEVICE** 

## RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents Washington, DC 20231

**GROUP 1700** 

APR 3 0 2003

Sir:

In the Office Action dated April 1, 2003, the Examiner imposed a Restriction

Requirement pursuant to 35 U.S.C. §121, requiring election of either:

Group I. Claims 1 through 4 and 7 directed to a method; or

Group II. Claims 5, 6 and 8 directed to a device.

In response Applicants elect to prosecute device claims 5, 6 and 8 (Group II). Favorable consideration of claims 5, 6 and 8 is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Arthur J. Steiner

Registration No. 26,106

600 13<sup>th</sup> Street, N.W. Washington, DC 20005-3096 (202) 756-8000 AJS:ntb Facsimile: (202) 756-8087

Date: April 29, 2003